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Attorney for Defendant InterDent Service Corporation

UNITED STATES DISTRICT COURT

DISTRICT OF IDAHO

POCATELLO DENTAL GROUP, P.C., an
Idaho Professional Corporation

Plaintiff,

v.

INTERDENT SERVICE
CORPORATION, a Washington
Corporation

Defendant.

Case No.: CV-03-450-E-LMB

**MOTION TO DISSOLVE TEMPORARY
RESTRAINING ORDER**

Defendant, InterDent Service Corporation, by and through the undersigned counsel,
hereby moves this Court for dissolution of the Temporary Restraining Order filed in the State
Court in this case.

This motion is supported by the Memorandum in Opposition to Plaintiff's Motion for
Preliminary Injunction, and the Affidavits of Ivar Chhina, Erik F. Stidham and Bradley W. Ebert
filed concurrently therewith, which were filed with the Court on November 3, 2003. As set forth
in more detail in those pleadings, Plaintiff is not entitled to a temporary restraining order because
it has failed to show under Rule 65(b) that immediate and irreparable injury, loss, or damage will
result in the absence of a temporary restraining order.

Moreover, Plaintiffs cannot establish a substantial likelihood of succeeding on the merits of their claims. Nor can Plaintiffs establish that the damage they would allegedly suffer outweighs the harm an injunction would inflict on the Defendant.

Based on the foregoing, the Defendant respectfully requests an order dissolving the State Court's Order, dated October 10, 2003, which grants Plaintiff's Motion for Temporary Restraining Order.

EXECUTED this 7 day of November, 2003.

Respectfully submitted,



By: G. Rey Reinhardt
Attorney for Defendant
InterDent Service Corporation

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **MOTION TO DISSOLVE TEMPORARY RESTRAINING ORDER** on the following named person(s) on the date indicated below by

- ☐ mailing with postage prepaid
- ☐ hand delivery
- ☒ facsimile transmission
- ☐ overnight delivery

to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said person(s) at his or her last-known address(es) indicated below.

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DATED: this 7 day of November, 2003.



G. Rey Reinhardt
Attorneys for Defendant